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Time to Steady the Pendulum

The author questions whether the ever-increasing emphasis on standards is diametrically opposed to principles of the United Nations and the International Mine Action Standards^{1,2} and whether the implementation of the IMAS restricts a humanitarian response.

by Eddie Banks [The “Ca’d’oro”]

The global need to respond to the social, economic and humanitarian impact of anti-personnel landmines will soon enter its third decade. From one perspective, the expansion and maturity of the global mine-action programme appears dramatic and positive; yet from another, it may appear quite the opposite. Emergency mine action, designed to alleviate suffering and improve socioeconomic situations, is a critical post-conflict response. International and national responses, however, should also be aimed at addressing short- and long-term objectives, maximising utilisation of limited finances and implementing efforts quickly.

Mine-action programmes concentrated initially on rapid response rather than on standards. This trend started to change in the early 1990’s with an emphasis on safety and quality standards. It was often accompanied by a resistance to addressing productivity (and therefore not actively addressing effectiveness, efficiency or delivery in a timely manner³). In 1997 the standards pendulum was initiated with the production of International Standards for Mine Clearance Operations;³ this initial work was incorporated in 2001 into the International Mine Action Standards.

With the continuing development of the IMAS, the standards pendulum began to swing even farther to the right, concentrating solely on standards that emphasise and implement a quality and a safety regime. While the IMAS provide a very sound foundation for clearance activities, the continued development of an International Standards Organization-based system could be in danger of losing sight of the humanitarian perspective. Indeed, standards are now so important that they override the need to work effectively, efficiently and in a timely manner.

Differing Views

We all view mine action from slightly different angles, though all are presently bound, in more ways than one, by the IMAS and the associated plethora of supporting documentation.



The IMAS Web site is managed by the Geneva International Centre for Humanitarian Demining on behalf of the United Nations Mine Action Service, and hosted and maintained by the Mine Action Information Center. GRAPHIC COURTESY OF THE MAIC

The close coordination of a multitude of players is a difficult task. Donor organisations, however, have spent more than 10 years addressing policy, standards, advocacy and the fundraising role so that implementing organisations (both nongovernmental and commercial) can provide (if rules and regulations permit) operations that function efficiently. If the rules, regulations or external factors restrict the implementing organisations, then efficient, effective and timely objectives become difficult—if not impossible—to achieve.

IMAS—The Good, the Bad and the Ugly

Since 1997, the concept of operating an ISO-styled system has become popular and the momentum to instigate an ever-increasing standards regime has been clearly identifiable. While many argued for standards that address humanitarian needs and complained of the increased costs and donation depletion, the

need for comprehensive standards is undeniable. Yet, while comprehensive standards have raised standards of quality, it has become obvious that the IMAS have developed lives of their own, raising the question of whether this is an acceptable cost.

While the IMAS are not actually ISO-based, the two are now so close together that they are seen as one. Several mine-action centres and individual nongovernmental organisations are now preparing to become ISO certified due to the pressure to be ahead of the game. Few may understand the time, effort and cost needed to comply and maintain an ISO-styled capability. It is difficult enough for large commercial companies and international NGOs to fully comply; it would be impossible for most small companies, almost all of them indigenous organisations.

If a company is already operating under International Mine Action Standards, then what does ISO accreditation do for the

company? The price is too high if it is an exercise in obtaining some sort of accreditation without real benefits. The question is: Are the revised standards now prolonging the socioeconomic and environmental impact caused by mines and unexploded ordnance and creating long-term dependency? Mine action should not be learning about living with mines but about working toward a future without mines.

The Critical Issues

Even if donors provide contributions quickly, there are a number of issues in the context of the IMAS that need to be addressed in order to utilise donations effectively. These include:

- Defining *effective, efficient and delivered in a timely manner*
- Acceptance of the productivity issue
- Creating a balanced response
- Interpreting the standards and guidelines in a pragmatic and flexible manner
- Modifying the IMAS to take a more humanitarian perspective

Effective, efficient and timely. The United Nations, by the utilisation of the IMAS, has attempted to create a safety and quality foundation that should provide the tools for programmes and projects to assure they are conducted effectively and efficiently and are able to be delivered promptly. However, if by the use of the IMAS, humanitarian-demining costs increase or they slow the humanitarian-demining process, then the IMAS could only be identified as ineffective and inefficient. Operating efficiently does not necessarily mean effectively, and being effective does not automatically mean operating efficiently. *Delivered in a timely manner* is a meaningless phrase; it is too general and cannot be measured.

The IMAS are about standards that can be measured, so productivity data (operational speeds) as guidelines for outputs provide something that is measurable. The IMAS should be a guideline to monitor quality control on-site, or a basis for assessing site work (by use of daily reports) when no on-site inspectors are available. Maybe the statement should be something with more meaning, such as “operating to defined safety and quality standards and to known productivity outputs.”

The productivity issue. The three key elements of most contracts are:

1. Performance completed to a certain standard (safety and quality)
2. Work conducted within an agreed budget or contract cost
3. Execution of the task within the contractual time

The Bosnia and Herzegovina Mine Action Centre spent months assessing a productivity table, taking into account the variety of factors that affect productivity. While this process may not be considered perfect, BHMIC at least accepted that productivity was a critical issue.

Commercial companies, regardless of their function, have to address productivity on every task to conduct project management and work-activity tables, and to plot daily progress. The IMAS make no reference to work productivity or any phrase closely associated with it, so how do the United Nations and the authors of the IMAS determine that a task has been achieved in a timely manner?

The emphasis on safety and quality alone has resulted in an environment where actual work output is reduced to a nonessential item. This situation results only in increasing longevity and costs. Standards and guidelines cannot address all on-site situations; therefore, common sense, guided by the standards and guidelines, and site-specific risk assessments, are essential requirements.

The inclusion of risk assessment⁴ in a 2006 study by the Geneva International Centre for Humanitarian Demining is one of the most progressive and lateral-thinking concepts to come from the establishment for some time—but beware of the dragon. Risk assessment needs a complete understanding of the site and technological limitations. Undertaken correctly, risk assessment can reduce time and effort, and therefore costs, but assessments undertaken in the uncertainty of an operational site can sometimes go wrong. In mine and unexploded ordnance contracts, the penalty for being wrong may be treated with undue harshness.

Balanced response. A balanced response should maintain the equilibrium among mine-risk education, mine-victim assistance, information technology, training, research and development, and mine and UXO clearance. The IMAS presently control all of these to some degree.

Few will argue against the need for standards, but some may argue that the present interpretation of the IMAS by many makes the standards far too restrictive. For example, a newly formed NGO is measured at the same level (standards) as an international NGO or seasoned commercial company. The current IMAS do not allow for these variations in capability (standards) and therefore limit the chances of newly emerging, indigenous organisations—the very ones we should be encouraging.

Modifying the IMAS to take a more humanitarian perspective. Most of the land on which work has been undertaken before the IMAS were established has been accepted as cleared and returned to

its owners, so former standards of work must have achieved an acceptable standard of output. Standards, moreover, must address real needs, so unless the IMAS can provide an effective QA/QC framework, they have failed.

While other industries, none of which have a major humanitarian element, demand error-free standards, the depletion of donor funds from a decreasing humanitarian budget makes unrealistic standards hard to justify from a humanitarian perspective. Standards need to be tailored to meet three basic requirements in present-day mine action:

1. **Humanitarian:** Humanitarian standards must exist to achieve safety, quality and productivity but must not curtail—by time, effort or cost restrictions—the humanitarian response.
2. **Commercial:** Commercial standards should be based on the same format and basic principles as humanitarian standards, but the commercial clients must be able to select additional work standards to achieve a level of confidence for which they are willing to pay. In many cases, IMAS rules and regulations meet this requirement.
3. **Health, safety and environmental:** Finally, there are those companies that seek an even higher level of confidence based on stringent HSE requirements. This standard may mean not using mechanical equipment if they think that it could cause environmental damage to delicate soil layers or flora and fauna—not something normally considered on humanitarian mine-action sites.

In their present form, the IMAS fall somewhere between humanitarian and commercial requirements. Serious thought needs to be given to the development of a tiered system or to amending the text to allow a selection process based on project needs.

“Standards are necessary for any mine-action activity, but standards must reflect actual need.”

The Financial Implications

Standards cost money. They are expensive to write and maintain; they cost considerably more to implement. Little information has been provided since the initial writing of the IMAS about their real costs. Certainly there are some commercial contracts for which the cost of IMAS implementation is significantly higher than for other contracts.⁵

As standards become increasingly stringent, there will be a correspondingly greater cost to implement those standards. While commercial clients may be able to bear this additional cost, the financial cost for humanitarian work can reduce a donation's effectiveness. Real cost in this situation is measured in prolonging socioeconomic hardship through additional injuries and deaths, and in further delays in improving conditions for those we are supposed to assist.

Summary

Standards are necessary for any mine-action activity, but standards must reflect actual need. The authors of the IMAS must also balance humanitarian with commercial needs, and they must ensure that this intention is not subject to different interpretations. Currently, evidence suggests a widespread lack of understanding on how to interpret the IMAS—this could point to failure of the standards.

As less money is available, standards could be blamed for prolonging the period that many communities have to coexist with mines. If this is the case, then maybe standards will be responsible for making the term *humanitarian mine action* an oxymoron. It is time to carry out mine action in a more (cost) effective, efficient and timely manner. ♦

See Endnotes, page 110



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News Brief

Mine Ban Enters into Force in Jordan

Following a royal decree, the 2008 Anti-Personnel Mine Ban became an official part of Jordanian law. The Kingdom of Jordan, which signed the Ottawa Convention banning the use of landmines in 1998, has been working to eradicate landmines and other explosive remnants of war since that time. The new law represents a deepening of the government's commitment to addressing the landmine problem in the kingdom.

States Parties to the Ottawa Convention are obliged to make consistent progress toward eliminating the threat posed by landmines, and Jordan has been pursuing this goal since signing the Convention. The government of Jordan created the National Committee for Demining and Rehabilitation in 2000 to direct policy for and supervise mine-action activities. The NCDR is chaired by HRH Prince Mired and directs management and regulatory activities, as well as coordinating mine-action programs and supervising the implementation of best policies and procedures.

The 2008 Anti-Personnel Mine Ban now provides national legal punishments for anyone emplacing AP mines in Jordan as well as anyone trading, developing, possessing or handling mines in other ways. There are also punishments for anyone aiding or abetting any of these prohibited actions. Exceptions to these regulations are provided to approved government parties actively involved in landmine eradication—most notable are members of the Jordanian Armed Forces who use mines in explosive ordnance disposal training exercises.

Those found guilty of violating the statutes of the new law are subject to steep fines, imprisonment and hard labor. Additionally, anyone who provides information to authorities on illegal activities can receive legal protection for his/her assistance.

The new law also establishes the NCDR as the lead mine-action coordinating and supervising agency in the country. The NCDR is now officially responsible for working with the armed forces and outside agencies to ensure successful collaboration. The 2008 AP Mine Ban also gives the NCDR the authority to make requests of international organizations for information as well as assistance with equipment and training.

Although it has made remarkable progress in addressing the landmine situation within and along its borders, Jordan anticipates that its original deadline for landmine clearance by May 2009, as dictated by the Convention, may need to be extended to 2011.